

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Document #

9

John Contino

-v-

United States of America

USCA NO. *08-1575 pr*

SDNY NO. *07 cv 7084*

JUDGE: *NRB*

DATE: *5/13/08*

INDEX TO THE RECORD ON APPEAL

PREPARED BY (NAME)

FIRM

ADDRESS

PHONE NO.

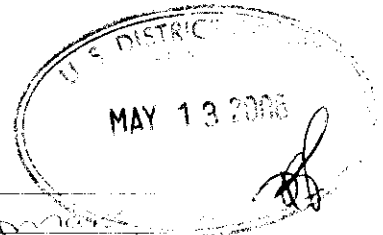
Maria Worley

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DISTRICT COURT DOCKET ENTRIES

DOCUMENTS

DOC#

Clerk's Certificate

See Attached List of Numbered Documents

Only Circled Documents Included

(☒) Original Record

(☐) Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.
for the Second Circuit on the *13* Day of *May*, 2008.

**United States District Court for
the Southern District of New York**

John Contino

-v-

United States of
America

Date: 5/13/08
U.S.C.A. # 08-1575 pr
U.S.D.C. # 07 cv 2084
D.C. JUDGE: NRB

Clerk's Certificate

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 8, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

Date Filed

Document Description

<u>Date Filed</u>	<u>Document Description</u>

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this ____ Day of ____ In this year of our Lord, Two Thousand and Eight, and the Independence of the United States this 232nd year.

J. Michael McMahon, Clerk

By

Deputy Clerk

2255, APPEAL, CLOSED, SIMILAR

**U.S. District Court
 United States District Court for the Southern District of New York (Foley Square)
 CIVIL DOCKET FOR CASE #: 1:07-cv-07084-NRB
 Internal Use Only**

Contino v. United States of America
 Assigned to: Judge Naomi Reice Buchwald
 Similar Case: 1:04-cr-00273-NRB
 Cause: 282255 Motion to Vacate / Correct Illegal Sentence

Date Filed: 08/09/2007
 Date Terminated: 12/28/2007
 Jury Demand: None
 Nature of Suit: 510 Prisoner; Vacate Sentence
 Jurisdiction: U.S. Government Defendant

Date Filed	#	Docket Text
08/09/2007	(1)	MOTION to Vacate, Set Aside or Correct Sentence (28 U.S.C. 2255). NO FURTHER ENTRIES. PLEASE SEE CRIMINAL CASE. 04cr273 NRB Document filed by John Contino. (jeh) (Entered: 08/10/2007)
08/09/2007		CASE REFERRED TO Judge Naomi Reice Buchwald as possibly similar to 04cr273. (jeh) (Entered: 08/10/2007)
08/14/2007	ELC (2)	FIRST MEMORANDUM OF LAW in Support re: 1 Motion to Vacate/Set Aside/Correct Sentence (2255). Document filed by John Contino. (Pinho, Nicholas) (Entered: 08/14/2007)
08/14/2007		CASE ACCEPTED AS SIMILAR. Create association to 1:04-cr-00273-NRB. Notice of Assignment to follow. (jmi) (Entered: 08/16/2007)
08/14/2007	(3)	NOTICE OF CASE ASSIGNMENT to Judge Naomi Reice Buchwald. Judge Unassigned is no longer assigned to the case. (jmi) (Entered: 08/16/2007)
08/14/2007		Married Judge Michael H. Dolinger is redesignated. (jmi) (Entered: 08/16/2007)
08/14/2007		Married notice to the attorneys of a record. (jmi) (Entered: 08/16/2007)
09/20/2007	ELC (4)	NOTICE OF APPEARANCE by Jeremy Leonard Gutman on behalf of John Contino (Gutman, Jeremy) (Entered: 09/20/2007)
10/23/2007		Minute Entry for proceedings held before Judge Naomi Reice Buchwald: Oral Argument held on 10/23/07 re: 1 Motion to Vacate/Set Aside/Correct Sentence (2255) filed by John Contino. (keo) (Entered: 11/01/2007)
11/07/2007	(5)	TRANSCRIPT of proceedings held on 10/23/07 before Judge Naomi Reice Buchwald. (keo) (Entered: 11/07/2007)
12/28/2007	ELC (6)	MEMORANDUM & ORDER as to John Contino. For the foregoing reasons, we deny in its entirety Contino's Petition for a Writ of Habeas Corpus pursuant to 282255. As petitioner has not made a substantial showing of the denial of a constitutional right, a Certificate of Appealability will not issue. See 282255(c). Contino is directed to surrender to the institution designated by the BOP before 2pm on 1/28/08. The clerk of the court is directed to close the case. So Ordered. (related to 04cr273) (Signed by Judge Naomi Reice Buchwald on 12/28/07) (pr) (Entered: 01/02/2008)
01/24/2008	ELC (7)	FILED ERROR - ELECTRONIC FILING FOR NON-ECF DOCUMENT - NOTICE of Appeal. Document filed by John Contino. (Gutman, Jeremy) Modified on 1/17/2008 (jar) (Entered: 01/24/2008)
04/01/2008	ELC (8)	NOTICE OF APPEAL from a Memorandum & Opinion. Document filed by John Contino. Filing fee \$ 455.00, receipt number E-04cr273. ORIGINAL DOCUMENT ENTERED IN CRIMINAL CASE #04cr273-4, DOC #519. (tp) (Entered: 04/01/2008)
04/01/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 8 Notice of Appeal. (tp) (Entered: 04/01/2008)
04/01/2008		Transmission of Notice of Appeal to the District Judge re: 8 Notice of Appeal. (tp) (Entered: 04/01/2008)